

**COLUMBUS BOARD OF ZONING APPEALS  
JULY 25, 2006  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present: Patricia Zeigler, Acting Chairperson; Karen Dugan, Secretary; Lou Marr, Dave Bonnell and Mary Ferdon**

**Staff Present: Laura Thayer, Assistant Planning Director; Marcus Hurley, Associate Planner; Alan Whitted, City Attorney; Sondra Bohn Planning Department; Brian Thompson, Code Enforcement**

Patricia Zeigler, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

**PUBLIC HEARING:  
DOCKET C/DS-06-05: FRED STADLER**

**Fred Stadler is requesting an approval to allow an accessory structure to encroach into the required setbacks in the R-1 (Single-Family Residential) district. The property is located at 295 Linden Lane in the City of Columbus.**

Chairwoman, Patricia Zeigler, stated that she had listened to the minutes from the previous hearing and was now eligible to act on this request.

Mr. Stadler stated his name and address into the record.

Mr. Hurley reviewed the last meeting and went over the provisional findings of fact.

The meeting was opened to the public. There was no public comment; the meeting was closed to the public.

There was a brief discussion among staff about the property in question.

Lou Marr made a motion to approve **C/DS-06-05** because of the history of the development of the neighborhood. The change in street classification of Highland way has affected this property adversely due to no fault of the owner.

1. The approval will not be injurious to the public health, safety, and general welfare

of the community because it is used basically as an alley.

2. The use and value of the area will not be effective because this brings this piece of property more into the alignment with all the other properties in the area.
3. The strict application of the zoning ordinance will result in practical difficulties in the use of this property because the parcel cannot otherwise be used like other parcels in the neighborhood.
4. The variance is the minimum necessary and does not correct a hardship because of the change to Highland Way's street classification.
5. The variance is in harmony with the general spirit, purpose and intent of our ordinance because it helps further define the spirit and intent of this neighborhood.

Pat Zeigler seconded the motion. Motion passed 3-1, with Dave Bonnell abstaining because he did not attend the original hearing or the minutes.

**PUBLIC HEARING:  
C/DS-06-06: DENNIS SMITH AND LISA EDDLEMAN**

**Dennis Smith and Lisa Eddelman are requesting to allow a proposed garage addition to a house to encroach into the required front setback in the R-3 (Single-Family Residential) district. The property is located at 1920 Park Valley Drive in the City of Columbus.**

Mr. Hurley read the background along with the findings of fact into the record.

Lisa Eddelman stated her name and address for the record and presented her case.

The meeting was opened to the public.

Lester Burbrink, treasurer of the Sandy Hook Lot Owners' Association, stated his name and address into the record. He spoke against the petition.

Ms. Zeigler read letters from Frank and Linda Jerome, Dr. Larry Brackney and Regina Cox, Gene McNay and the Homeowners Association, who opposed the request.

The meeting was closed to the public.

Ms. Eddelman stated her case.

A picture of a 2-car garage in the neighborhood was submitted to staff.

Mr. Whitted had a discussion among staff in regards to covenants.

Ms. Eddelman stated that she needed more room for her family, but would be willing to work with the home owners' association.

Karen Dugan made a motion to continue **C/DS-06-06** for 30 days and allow her to meet with the home owners' association and come up with a revised plan and come back to the next meeting.

Lou Marr seconded the motion. Motion was continued unanimously.

### **FINDINGS OF FACT**

The following findings of fact were presented to the Board for consideration.

**C/DS-06-02: William Aimers**-Lou Marr made a motion to accept the findings, seconded by Karen Dugan. The motion carried unanimously.

**C/DS-06-04: Mike Mullet**-Mary Ferdon made a motion to accept the findings and the criteria has been met under paragraph 10 page 2.

Lou Marr seconded the motion, motion carried unanimously.

**C/UV-06-02: Randall Johnson**-Lou Marr made a motion to accept the findings, seconded by Patricia Zeigler.

Motion passed unanimously.

### **Approval of Minutes**

Upon the motion made by Mary Ferdon and seconded by Patricia Zeigler the minutes of the June 27, 2006 meeting was approved unanimously.

There being no further business the meeting was adjourned.

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Patricia Zeigler, Chair

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Karen Dugan, Secretary